

RESOLUTION NO. 2016-44

AUTHORIZING AN INCREASE TO CONTRACT NO. 2015-014 WITH MID AMERICAN CONSTRUCTION LLC FOR PROJECT 24J(c) – BROOK PARK STATION RECONSTRUCTION IN THE AMOUNT OF \$82,779.74 FOR A TOTAL CONTRACT AMOUNT OF \$11,862,044.96 AND REINSTATING THE CEO, GENERAL MANAGER/SECRETARY-TREASURER'S CHANGE ORDER SIGNING AUTHORITY IN ITS ENTIRETY (RTA DEVELOPMENT FUND, ENGINEERING & PROJECT DEVELOPMENT DEPARTMENT BUDGET)

WHEREAS, the Authority deemed it necessary to procure construction services for Project 24J(c) – Brook Park Station Reconstruction; and

WHEREAS, by Resolution No. 2015-27, the Board of Trustees authorized Contract No. 2015-014 in an amount of \$11,387,000.00 with Mid American Construction LLC located at 8506 Lake Avenue, Suite B, Cleveland, Ohio 44102 for the furnishing of said construction services; and

WHEREAS, the CEO, General Manager/Secretary-Treasurer has issued 33 change orders in a net additional contract value of \$392,265.22, using his change order authority prescribed in the Authority's Procurement Policies and Procedures Manual, for a current total contract amount of \$11,779,265.22; and

WHEREAS, the Authority now requires that the tracks be adjusted both vertically and horizontally to meet ADA requirements, under Project 24J(c) – Brook Park Station Reconstruction; and

WHEREAS, Mid American Construction LLC has offered to provide these additional construction services at a total negotiated cost of \$82,779.74; and

WHEREAS, said increase will not exceed the CEO, General Manager/Secretary-Treasurer's change order authority; and

WHEREAS, the CEO, General Manager/Secretary-Treasurer is seeking Board authority to reinstate his change order signing authority in its entirety; and

WHEREAS, the CEO, General Manager/Secretary-Treasurer deems acceptance of the offer of Mid American Construction LLC, as negotiated, to be in the best interest of the Authority and recommends acceptance thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Greater Cleveland Regional Transit Authority, Cuyahoga County, Ohio:

Section 1. That the negotiated offer of Mid American Construction LLC to provide additional construction services under Project 24J(c) – Brook Park Station Reconstruction, be and the same is hereby accepted.

Section 2. That the CEO, General Manager/Secretary-Treasurer of the Authority be and he is hereby authorized to amend Contract No. 2015-014 with Mid American Construction LLC to include these additional construction services.

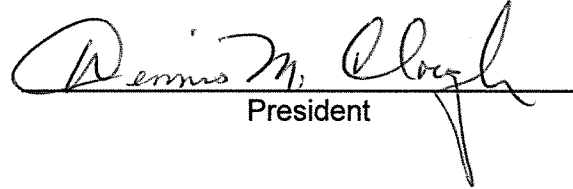
Section 3. That said increase shall be payable from the RTA Development Fund, Engineering and Project Development Department budget, including but not limited to, FTA Capital Grant OH-54-0004, in an amount not to exceed \$82,779.74 (\$66,223.79 in Federal funds which represents 80% of the total cost).

Section 4. That the CEO, General Manager/Secretary-Treasurer's change order authority be reinstated to its entirety.

Section 5. That all other terms and conditions of said contract shall remain unchanged.

Section 6. That this resolution shall become effective immediately upon its adoption.

Adopted: June 14, 2016

  
\_\_\_\_\_  
President

Attest:   
\_\_\_\_\_  
CEO, General Manager/Secretary-Treasurer



TITLE/DESCRIPTION:		Resolution No.:
CONTRACT:	INCREASE TO PROJECT NO. 24J(c) BROOK PARK STATION RECONSTRUCTION	2016-44
VENDOR:	MID AMERICAN CONSTRUCTION LLC	Date:
AMOUNT:	\$82,779.74 AND REINSTATEMENT OF CEO, GENERAL MANAGER/SECRETARY-TREASURER'S CHANGE ORDER AUTHORITY	June 9, 2016
ACTION REQUEST:		Initiator:
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Review/Comment <input type="checkbox"/> Information Only <input type="checkbox"/> Other _____		Engineering & Project Development

1.0 PURPOSE/SCOPE: This action will allow the Authority to increase Contract No. 2015-014, Project No. 24J(c) – Brook Park Station Reconstruction to close the gap between the platform and the train to bring it within the ADA required tolerances and reinstate the CEO, General Manager/Secretary-Treasurer’s change order authority.

2.0 DESCRIPTION/JUSTIFICATION: This change order will adjust the track both vertically and horizontally to allow for the gap between the train and platform to become ADA compliant. The current contract documents do not provide provisions to adjust the track.

3.0 PROCUREMENT BACKGROUND: On March 24, 2015, the Board of Trustees, by Resolution No. 2015-27, authorized a contract with Mid American Construction LLC to perform General Trades construction services for the Brook Park Station Reconstruction project in an amount of \$11,387,000.00. Change orders to date have included additions in the amount of \$392,265.22, resulting in a current contract total amount of \$11,779,265.22.

Additional project scope requires that the Authority increase Mid American Construction LLC’s scope of services in an amount of \$82,779.74. This change order will cause the total change order to closely approach the CEO, General Manager/Secretary-Treasurer’s change order authority limit. A Change Order Log is attached as reference. This action also requests reinstatement of the CEO, General Manager/Secretary-Treasurer’s change order authority.

The Change Order Committee has reviewed this change and recommended it be moved forward for approval.

4.0 AFFIRMATIVE ACTION/DBE BACKGROUND: All Affirmative Action requirements have been met. A 20% DBE goal was established for this procurement March, 2015. Mid American Construction, LLC has agreed to maintain the established DBE participation goal through the use of its existing DBE firms.


5.0 POLICY IMPACT: Does not apply.

6.0 ECONOMIC IMPACT: This change order shall be payable from the RTA Development Fund, Engineering & Project Development Department budget, including but not limited to, FTA Capital Grant OH-54-0004, Line Item 12.34.02, in an amount not to exceed \$82,779.74 (\$66,223.79 in Federal funds which represents 80% of the total cost).

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- 7.0 ALTERNATIVES: Rejection of this change order would not allow Brook Park Station to be ADA compliant.
- 8.0 RECOMMENDATION: It is recommended that this change order be accepted and the resolution passed authorizing the CEO, General Manager/Secretary-Treasurer to modify the contract.
- 9.0 ATTACHMENTS: Change Order Log.

Recommended and certified as appropriate to the availability of funds, legal form and conformance with the Procurement requirements.

  
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CEO, General Manager/Secretary-Treasurer

**APPROVED CHANGE ORDERS  
BROOK PARK STATION RECONSTRUCTION**

**PROJECT NO. 24J(c)**

Contract # 24J(c)

Contractor: Mid American Construction LLC

Original Contract Amount \$11,387,000.00

Total G.M. C.O. Authority Remaining **\$107,734.78**

Total Change Order Amount To Date \$ 392,265.22

% Change to Date: 3.4%

<i>C/O NO.</i>	<i>C/O DESCRIPTION</i>	<i>APPROVAL DATE</i>	<i>CHANGE ORDER AMOUNT</i>	<i>NEW CONTRACT AMOUNT</i>
1.	Creation of an ADA parking area and associated pavement markings and signage.	06/16/2015	\$8,351.10	\$11,402,948.00
2.	Construction of a temporary pedestrian walkway from the east parking area to the west parking area.	06/25/2015	\$31,078.59	\$11,434,026.59
3.	Supplemental General Condition language modification.	07/09/2015	\$0.00	\$11,434,026.59
4.	Reconstruction of the water meter and replacement of a section of sidewalk.	07/15/2015	\$9,715.03	\$11,443,741.62
5.	Right of Entry fee associated with NSRR.	07/15/2015	\$1,377.00	\$11,445,118.62
6.	Incorporation of plan review comments.	07/20/2015	\$8,731.20	\$11,453,849.82
7.	Finalizing CCD #1 – Hazardous Material Survey.	07/21/2015	(\$3,249.99)	\$11,450,599.83
8.	Providing a pre-cast elevator shaft in lieu of the cast-in-place shaft.	08/11/2015	(\$537.00)	\$11,474,457.77
9.	Catenary structure modifications – Depth and Diameter.	08/12/2015	(\$5,300.00)	\$11,469,157.77
10.	Catenary structure modifications – Pull Over Arms.	08/17/2015	\$2,242.89	\$11,471,400.66
11.	Elimination of bus signal indicator lights.	08/17/2015	(\$32,494.05)	\$11,438,906.61
12.	Conduit and wiring for Berner Air Curtain.	09/02/2015	\$4,844.94	\$11,443,751.55
13.	Railroad Protective Insurance for NSRR	09/28/2015	\$77,236.73	\$11,545,113.78
14.	Provide temporary catenary supports.	10/19/2015	\$17,330.91	\$11,562,444.69
15.	Core concrete walk and stairs for handrails.	10/22/2015	\$1,531.93	\$11,563,976.62

# APPROVED CHANGE ORDERS BROOK PARK STATION RECONSTRUCTION

## PROJECT NO. 24J(c)

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Total G.M. C.O. Authority Remaining \$ 107,734.78

Total Change Order Amount To Date \$ 392,265.22

% Change to Date: 3.4%

C/O NO.	C/O DESCRIPTION	APPROVAL DATE	CHANGE ORDER	NEW CONTRACT AMOUNT
16.	Modification of pavement markings and signs in west parking lot.	11/05/2015	\$6,587.57	\$11,570,564.19
17.	Repair damaged underground conduits.	11/05/2015	\$2,814.31	\$11,573,378.50
18.	Finalize CCD #2 and #3 – Hazardous material abatement.	12/14/2015	\$7,579.93	\$11,580,958.43
19.	Installation of fencing along the eastbound track.	12/16/2015	\$5,717.31	\$11,586,675.74
20.	Bracing for the east tunnel headwall.	01/20/2016	\$1,567.58	\$11,588,243.32
21.	Refunded NSRR application fee.	01/20/2016	\$1,377.00	\$11,586,866.32
22.	Modification to the bus lane exit in the east parking area.	01/25/2016	\$31,208.43	\$11,618,074.75
23.	Perform an X-ray of the east tunnel headwall.	01/25/2016	\$2,401.07	\$11,620,475.82
24.	Removal of existing concrete slab and modify the structural steel floor framing.	02/18/2016	\$34,050.45	\$11,654,526.27
25.	Stabilize the platform with come-along.	02/25/2016	\$4,974.68	\$11,659,500.95
26.	Removal and replacement of deteriorated pavement with a concrete bus pad.	03/07/2016	\$79,493.00	\$11,738,993.95
27.	Relocation of signal power cable.	03/15/2016	\$11,561.82	\$11,750,555.77
28.	Installation of steel posts to support the roof purlins.	04/06/2016	\$4,225.74	\$11,754,781.51
29.	Install cross bracing for platform canopy steel.	04/06/2016	\$3,900.77	\$11,758,682.28
30.	Installation of I-beams to steel columns.	04/06/2016	\$2,221.93	\$11,760,904.21
31.	Move the location of the electrical service meter.	04/28/2016	\$16,142.77	\$11,777,046.98
32.	Non-perform the T1 service.	04/28/2016	(\$1,443.32)	\$11,775,603.66
33.	Installation of steel angles to east headhouse foundation.	05/11/2016	\$4,807.38	\$11,779,265.22